

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT CHARLOTTESVILLE, VA
FILED
for D. Pille
MAR 2 2006
JOAN E. BARNHART, CLERK
BY: [Signature] DEPUTY CLERK

DARRYL P. TUGGLE,

) CASE NO. 4:04CV00023

Plaintiff

)

v.

) REPORT AND RECOMMENDATION

JO ANNE B. BARNHART

Commissioner of Social Security,

) By: B. Waugh Crigler

U. S. Magistrate Judge

Defendant

)

The Commissioner having advised the court that she has no objection to an award of attorney fees to J. Willard Greer, Esq. in the amount of Six Thousand Three Hundred Seventy-Nine and 30/100 Dollars (\$6,379.30) under the Social Security Act (Act), 206(b), 42 U.S.C. § 406(b). Therefore, it is hereby

R E C O M M E N D E D

that an Order enter awarding counsel for plaintiff, J. Willard Greer, Esq. the sum of Six Thousand Three Hundred Seventy-Nine and 30/100 Dollars (\$6,379.30) in attorney fees being withheld from plaintiff's past due benefits.

The Clerk is directed to immediately transmit the record in this case to the presiding United States District Judge. Both sides are reminded that pursuant to Rule 72(b) they are entitled to note objections, if any they may have, to this Report and Recommendation within

(10) days hereof. Any adjudication of fact or conclusion of law rendered herein by the undersigned not specifically objected to within the period prescribed by law may become conclusive upon the parties. Failure to file specific objections pursuant to 28 U.S.C. § 636(b)(1)(C) as to factual recitations or findings as well as to the conclusions reached by the undersigned may be construed by any reviewing court as a waiver of such objection. The Clerk is directed to send a certified copy of this Report and Recommendation to all counsel of record.

ENTERED: _____

Judge

March 27, 2006

Date